

1 UNITED STATES DISTRICT COURT

2 SOUTHERN DISTRICT OF OHIO

3 WESTERN DIVISION

4 * * *

5 HOBART CORPORATION, et al.,

6 Plaintiffs,

7 vs.

CASE NO. 3:13-cv-00115-WHR

8 THE DAYTON POWER AND LIGHT

9 COMPANY, et al.,

10 Defendants.

11 * * *

12 Deposition of RICHARD HART, Witness

13 herein, called by the Plaintiffs for

14 cross-examination pursuant to the Rules of Civil

15 Procedure, taken before me, Beverly W. Dillman, a

16 Notary Public in and for the State of Ohio, at

17 the offices of Sebaly, Shillito + Dyer, 1900

18 Kettering Tower, 40 North Main Street, Dayton,

19 Ohio, on Wednesday, September 25, 2013, at 1:03

20 o'clock p.m.

21 * * *

EXAMINATIONS CONDUCTED

Page

BY MR. ROMINE:.....5

BY MS. WRIGHT:.....43

EXHIBITS MARKED

(Thereupon, Plaintiffs' Exhibit 1,
Figure 3, Location of Chemical Storage,
MONS01544, was marked for purposes of
identification.).....22

(Thereupon, Plaintiffs' Exhibit 2,
Inter-Office Correspondence dated 3-1-1983,
with attachment, MONS01815-01819, was
marked for purposes of identification.).....26

(Thereupon, Plaintiffs' Exhibit 3,
Inter-Office Correspondence dated 7-22-1977,
MONS01825-0127, was marked for purposes
of identification.).....37

1 APPEARANCES:

2 On behalf of the Plaintiffs:

3 Langsam Stevens Silver & Hollaender LLP

4 By: David E. Romine
5 Jennifer Graham Meyer
6 Attorneys at Law
7 1818 Market Street
8 Suite 3400
9 Philadelphia, Pennsylvania 19103

10 On behalf of the Defendant Cox Media
11 Group Ohio:

12 Faruki Ireland & Cox P.L.L.

13 By: Jade K. Smarda
14 Attorney at Law
15 500 Courthouse Plaza, S.W.
16 10 North Ludlow Street
17 Dayton, Ohio 45402-1818

18 On behalf of the Defendant Pharmacia LLC and
19 Richard Hart:

20 Krieg Devault

21 By: Vicki Wright
22 Kay Dee Baird
23 Attorneys at Law
24 One Indiana Square
25 Suite 2800
Indianapolis, Indiana 46204-2079

On behalf of the Defendant P-Americas, Inc.:

Morgan, Lewis & Bockius LLP

By: W. Brad Nes (via telephone)
Attorney at Law
1111 Pennsylvania Avenue, NW
Washington, D.C. 20004-2541

1 On behalf of the Defendant Sherwin-Williams:

2 Gallagher Sharp

3 By: Erik Wineland (via telephone)

Attorney at Law

4 420 Madison Avenue

Suite 1250

5 Toledo, Ohio 43604

6 On behalf of the Defendant Waste

Management of Ohio:

7 Quarles & Brady LLP

8 By: William H. Harbeck (via telephone)

9 Attorney at Law

411 East Wisconsin Avenue

10 Suite 2350

Milwaukee, Wisconsin 53202

11 * * *

1 RICHARD HART

2 of lawful age, Witness herein, having been first
3 duly cautioned and sworn, as hereinafter
4 certified, was examined and said as follows:

5 CROSS-EXAMINATION

6 BY MR. ROMINE:

7 Q. Good afternoon, Mr. Hart.

8 A. (Witness nodding head up and down.)

9 Q. My name is David Romine, and I'm a
10 lawyer, and I represent three companies, Hobart
11 Corporation, NCR Corporation and the Kelsey-Hayes
12 Co., in a lawsuit that has to do with the South
13 Dayton Dump.

14 Before we get started, I'm going to
15 ask the lawyers in the room and on the phone to
16 identify themselves for the court reporter.

17 MR. ROMINE: So, again, I'm David
18 Romine, representing the plaintiffs.

19 MS. MEYER: I'm Jennifer Meyer,
20 representing the plaintiffs.

21 MS. SMARDA: Jade Smarda,
22 representing Cox Media Group.

23 MS. WRIGHT: Vicki Wright and Kay
24 Dee Baird, for Pharmacia LLC.

25 MR. ROMINE: On the telephone?

1 MR. HARBECK: Bill Harbeck, for
2 Waste Management of Ohio.

3 MR. WINELAND: Erik Wineland, on
4 behalf of the Sherwin-Williams Company.

5 MR. ROMINE: Anyone else besides
6 Erik and Bill?

7 (No response.)

8 MR. ROMINE: Okay.

9 BY MR. ROMINE:

10 Q. Mr. Hart, thank you for coming in
11 today.

12 A. Okay.

13 Q. Have you ever had your deposition
14 taken before?

15 A. No.

16 Q. I'm going to ask you some questions,
17 and ask you to answer those questions. It's okay
18 to ask me to repeat; or if you didn't hear or
19 understand, I'll try to rephrase it.

20 The court reporter is taking down
21 everything we say, so if you could wait for me to
22 finish my question before answering, I'll wait
23 for you to finish answering before I ask my next
24 question, even if you may know what my question
25 is going to be, that way the court reporter can

1 take it down more easily.

2 And this is not an endurance test,
3 so if you need to get a drink of water, use the
4 men's room, take a break and stand up, that's
5 perfectly fine; is that okay?

6 A. That's fine.

7 Q. Okay. So, Mr. Hart, where do you
8 live now?

9 A. Kettering, Ohio.

10 Q. And what's the address?

11 A. -----

12 Q. In Kettering?

13 A. In Kettering.

14 Q. And when were you born?

15 A. I guess -- oh, when? 1932.

16 (Brief interruption.)

17 MR. ROMINE: Is someone joining the
18 call?

19 MR. NES: Yes. Yes. Yes. This is
20 Brad Nes, for P-Americas.

21 MR. ROMINE: We are just getting
22 started.

23 MR. NES: Great. Thanks.

24 BY MR. ROMINE:

25 Q. And where were you born, Mr. Hart?

1 A. Richmond, Virginia.

2 Q. And did you attend high school in
3 Richmond?

4 A. Yes, I did.

5 Q. And where was that high school?

6 A. Manchester.

7 Q. And when did you graduate?

8 A. 1950.

9 Q. And did you attend college right
10 after graduating from high school?

11 A. Yes, I did.

12 Q. And where did you go to college?

13 A. Initially, I went to Richmond
14 Professional Institute.

15 Q. And it sounds like you said
16 originally you went to Richmond Professional
17 Institute?

18 A. Two years.

19 Q. Okay. And then after that?

20 A. I transferred to Virginia
21 Polytechnic Institute.

22 Q. Do people sometimes call that
23 Virginia Tech?

24 A. Yes, they do.

25 Q. Okay. And did you graduate from

1 Virginia Tech?

2 A. Yes, I did -- not on schedule.

3 Q. When -- when did you graduate from
4 Virginia Tech?

5 A. I got my B.S. in '57 and my M.S. in
6 '58. There was two years of Army in between.

7 Q. Okay. And what was your B.S. in?

8 A. Chemical engineering.

9 Q. How about your -- oh, I'm sorry.
10 How about your B.A. -- I'm sorry, how about your
11 M.S. -- I got confused there.

12 You got your B.S. in '57?

13 A. Right.

14 Q. And you got another degree in '58?

15 A. Right.

16 Q. And the '58 was M.S.?

17 A. Right.

18 Q. Okay. I'm sorry. And what was your
19 M.S. in?

20 A. Chemical engineering.

21 Q. So both degrees were chemical
22 engineering?

23 A. Right.

24 Q. Okay. And you mentioned something
25 about taking two years off in between?

1 A. Yes.

2 Q. Okay.

3 A. I went in the Army in November of
4 '54 and got out in September of '56.

5 Q. Were you able to -- to go to school
6 in that fall semester of 1956?

7 A. No.

8 Q. So you -- maybe you started up again
9 in the winter of '57?

10 A. Well -- oh, I'm sorry. I'm sorry.
11 I am thinking September. Yes, I did go in
12 September of '56.

13 Q. Okay. And did you have any --
14 any -- after high school, did you have any
15 schooling other than the Richmond Professional
16 Institute and Virginia Tech?

17 A. No.

18 Q. Okay. And did you get a job after
19 graduating from Virginia Tech?

20 A. Yes, I did.

21 Q. And what was that?

22 A. It was Monsanto Chemical Company in
23 St. Louis.

24 Q. And was that Monsanto's headquarters
25 at the time in St. Louis?

1 A. Yes, it was.

2 Q. And what was your job at Monsanto?

3 A. Well, we had three plants in St.
4 Louis. My first job was at the Queeny plant as a
5 tech service employee, which ultimately turned
6 out to be a maintenance supervisor and production
7 supervisor.

8 Q. Did you say that was the Queeny
9 plant?

10 A. Right.

11 Q. Okay. And how do you spell that?

12 A. Q U E E N Y.

13 Q. Okay. And after you worked at the
14 Queeny plant, did you work at another Monsanto
15 facility in St. Louis?

16 A. Yes, across the river in Illinois,
17 Krummick plant.

18 Q. Can you spell that?

19 A. Krummick, K R U M M I C K, I believe
20 is right.

21 Q. Is that in the City of East St.
22 Louis or somewhere else?

23 A. Actually, it was in the -- it was in
24 the town of Monsanto. They -- I guess it was a
25 spot in the road until they named it after the

1 company.

2 Q. Okay. Was it close to East St.
3 Louis, or not really?

4 A. Well, yeah, it was close enough.

5 Q. Okay. And then after the Krummick
6 plant, did you work for another Monsanto
7 facility?

8 A. Yes, I did, back across the river at
9 South St. Louis, it was called the Carondelet
10 plant.

11 Q. And could you spell that?

12 A. I knew you were gonna ask.

13 C A R O N D E L E T.

14 Q. Okay.

15 MR. HARBECK: David, this is Bill
16 Harbeck. I'm just wondering, again, maybe if the
17 microphone is as close as you can get? I can
18 hear you fine, but the witness is kind of fading
19 in and out a little bit.

20 MR. ROMINE: Well, we will do it
21 again.

22 MS. WRIGHT: I just lost him again.

23 (Brief interruption.)

24 MR. ROMINE: Okay. So we got all
25 three lawyers who had called in on the telephone

1 are still there?

2 (Affirmative responses.)

3 BY MR. ROMINE:

4 Q. Okay. So, Mr. Hart, before the
5 break there you had told me about the Queeny
6 plant, the Krummick plant and the Carondelet
7 plant?

8 A. Right.

9 Q. Am I pronouncing those correctly?

10 A. About as close as anybody is gonna
11 get.

12 Q. Okay. And so -- and you had told me
13 that you were at the Queeny plant, you had been
14 a -- in technical service, then a maintenance
15 supervisor, and then a production supervisor?

16 A. Right.

17 Q. And if you could, tell me what your
18 job was at the Krummick plant.

19 A. The whole time I was at the Krummick
20 plant I was in tech service, and a group leader
21 in that department.

22 Q. And how about the Carondelet plant?

23 A. At the Carondelet plant I was the
24 plant maintenance engineer.

25 Q. And what did these plants do?

1 A. Primarily, manufactured chemicals.

2 Q. Was there -- what kind of chemicals?
3 What was the major product, if there was one?

4 A. Well, there were several at the
5 Queeny plant, aspirin being one of them, but
6 mostly organic chemicals.

7 Q. Like, for example, fertilizer, or
8 not necessarily?

9 A. No.

10 Q. Okay. Could you give me an example
11 of what one of the products is that was organic?

12 A. Maleic anhydride, and aspirin,
13 Bisphenol A. Let's see, maleic -- well, that's
14 what happens when you get old, you forget things.

15 Q. No problem. Have you -- have you
16 heard the distinction between bulk chemicals and
17 specialty chemicals?

18 A. Oh, yeah.

19 Q. Was this bulk chemicals or specialty
20 chemicals?

21 A. It was primarily specialty
22 chemicals.

23 Q. Okay.

24 A. It was what we refer to as a city
25 operation. There really wasn't anything

1 particularly odorous about it.

2 Q. A city operation meaning you could
3 be in or near a city and not bother the
4 residents?

5 A. I didn't say that.

6 Q. Well, why was it called a city
7 operation?

8 A. Because it wasn't like the Krummick
9 plant.

10 Q. Okay. And what was the Krummick
11 plant?

12 A. Sulfuric acid, phosphoric acid,
13 phosphorus oxychloride; just some --
14 nitrobenzenes -- just some bad stuff.

15 Q. And the Krummick plant, was that
16 more specialty chemicals or bulk chemicals?

17 A. That would have been bulk chemicals.

18 Q. Okay. And the -- when you were
19 talking about the organic specialty chemicals,
20 that was -- did that apply to the Carondelet
21 plant?

22 A. No, actually, it did not. The
23 Carondelet plant was a different operation.
24 Everything that we made there was a white powder.
25 A lot of it went into like baking powder or

1 detergents. We made one product which the food
2 entry, inserted into ham to absorb water, and I
3 don't know which one that was.

4 We did eventually, while I was
5 there, we built a phosphoric acid plant, because
6 prior to that we had been shipping it from across
7 the river from the Krummick plant, and so we
8 manufactured phosphoric acid and used it in the
9 plant.

10 Q. And after you were plant maintenance
11 engineer at the Carondelet plant --

12 A. Yes.

13 Q. What years was that, approximately?

14 A. Whew, '69 to '75.

15 Q. And in 1975, did you get another job
16 within the Monsanto organization?

17 A. Yes. I was -- I transferred to
18 Dayton. Now, we had a -- it was a subsidiary of
19 Monsanto called Monsanto Research Corporation.
20 And so the plant here was under that banner,
21 Monsanto Research Corporation, so it was not a
22 direct part of Monsanto Company.

23 And when I started out, I said
24 Monsanto Chemical Company. And the name changed
25 to Monsanto Company, I don't know, ten or 15

1 years after that, but I'm not sure when.

2 Q. Okay.

3 A. But it was the same company.

4 Q. Okay. So when you -- when you
5 started in approximately 1958, your employer was
6 known as Monsanto Chemical Company?

7 A. Right.

8 Q. And then at some point it changed
9 its name to Monsanto Company?

10 A. Right.

11 Q. Okay. And in 1975, you worked for a
12 related company known as Monsanto Research
13 Company?

14 A. Right.

15 Q. And that was in connection with your
16 move to Dayton?

17 A. Right.

18 Q. And what was the -- did the Dayton
19 facility have a name?

20 A. Not really. Just -- we called it
21 The Dayton Lab.

22 Q. The Dayton Lab?

23 A. Right. And that was because most of
24 the work was small-scale, and we -- there was no
25 large industrial operation.

1 Q. And what was your job at The Dayton
2 Lab?

3 A. Initially, I was the plant -- hmm,
4 good question. Well, I was in charge of -- of
5 the tech services and the small manufacturing
6 facility that we had, and also maintenance of the
7 location.

8 Q. You talked about a small
9 manufacturing facility?

10 A. Right.

11 Q. Was that -- another word for that
12 the pilot plant?

13 A. Yes.

14 Q. Okay. And what is tech services? I
15 mean, what does that mean?

16 A. Well, if we had to do any
17 alterations to the facilities, I would have been
18 in charge of the construction alterations. It
19 was tech service in that respect; unlike the
20 other plants, it would have been logistical
21 responsibility.

22 Q. Okay. And how did you -- how long
23 did you work for Monsanto Research Corporation at
24 The Dayton Laboratory?

25 A. Up until June 1st, 1990.

1 Q. And what happened then?

2 A. I retired.

3 Q. And did you get any employment after
4 you retired from Monsanto Research Company?

5 A. Only what my wife gives me.

6 Q. And where -- where in Dayton was The
7 Dayton Laboratory located?

8 A. 1515 Nicholas Road.

9 Q. You mentioned that The Dayton
10 Laboratory had a small manufacturing facility?

11 A. That's correct.

12 Q. And was -- was the idea that the
13 products made at this small facility would --
14 would -- was it anticipated that these would be
15 sold to the marketplace?

16 A. Not necessarily. It was -- it was
17 really a facility for Monsanto Company for
18 scale-up. In other words, if the research guys
19 in St. Louis came up with something, and they
20 wanted to make, instead of 25 pounds, 250 pounds
21 or 2,500 pounds, why, they would come to us with
22 the process to see if it would work in larger
23 quantities.

24 We also had some contracts with the
25 government, NIH primarily; we did some research

1 and development for them. And we also produced
2 anticancer drugs to be used in Bethesda for the
3 patients that were there dying of cancer. We
4 made several. The primary one that I remember
5 was methotrexate, but there were some others, and
6 I don't recall the names.

7 Q. Okay. And when you say the NIH,
8 that's the National Institutes of Health?

9 A. Right.

10 Q. Okay. And was -- is that
11 chemotherapy or is that something different?

12 A. Chemotherapy.

13 Q. About how many employees did The
14 Dayton Lab have when you got there in about 1975?

15 A. Right around 400.

16 Q. How about in 1990?

17 A. Well, it had undergone a lot of
18 changes, and I guess it may have been a hundred.

19 Q. Was -- were there times when the
20 number of employees got above 400?

21 A. There may have been, but I don't
22 recall.

23 Q. Was there -- was it more of a steady
24 drop-off of employees, or was there an event that
25 happened that made the number of employees go

1 down?

2 A. There was an event.

3 Q. Okay. And what was that?

4 A. Well, we came under the protection
5 of Monsanto Company, and they promptly got rid of
6 two-thirds of the business we were in. And we
7 were involved with Monsanto Agricultural Company,
8 and they were the -- they were the daddy at that
9 point.

10 Q. Okay. So there was some corporate
11 reorganization going on?

12 A. Right.

13 Q. Okay. And when was that?

14 A. Well, that would have been like
15 primarily in the '80s, mid-'80s.

16 Q. Were you around at any time when
17 Pharmacia Corporation was -- was involved?

18 A. That was after I retired.

19 Q. Okay. So you never worked for
20 Pharmacia, Inc.?

21 A. No.

22 Q. Have there been any reunions of
23 Dayton Lab employees since you left?

24 A. Well, they didn't tell me.

25 Q. Okay. So you have never been to

1 any?

2 A. No.

3 (Thereupon, Plaintiffs' Exhibit 1,
4 Figure 3, Location of Chemical Storage,
5 MONS01544, was marked for purposes of
6 identification.)

7 BY MR. ROMINE:

8 Q. Mr. Hart, I'm showing you what I
9 have marked as Exhibit 1. And the -- it's a
10 diagram from 1992. But I'm going to ask you if
11 you recognize anything from this diagram as
12 being -- as corresponding to what you remember
13 from your work at the Dayton Lab.

14 A. Well, some of it, yeah.

15 Q. Okay. What -- what do you
16 recognize?

17 A. Well, Building 1.

18 Q. Okay.

19 A. The guardhouse, Building 20, and I
20 guess Building 23. I'm assuming that was the
21 warehouse.

22 Q. And where did you work?

23 A. Building 1.

24 Q. Building 1?

25 A. Yes.

1 Q. Okay. Earlier today we were talking
2 to Mr. Alan Wurstner.

3 A. Yeah.

4 Q. And he had -- he had mentioned that
5 sort of on the lower left part of this diagram,
6 closer to the railroad tracks, there had been
7 some buildings in that area?

8 A. Right.

9 Q. Were those buildings in existence
10 when you began working for Monsanto at the Dayton
11 Lab in 1975?

12 A. Yes.

13 Q. Were they there when you left in
14 1990?

15 A. No.

16 Q. What happened to them?

17 A. We tore them down.

18 Q. Why?

19 A. Got out of the business.

20 Q. And what business was that?

21 A. That was not under my control, but
22 it was a nuclear source business.

23 Q. What was in Building 1?

24 A. Primarily laboratories and offices
25 and conference rooms, maintenance shop. That's

1 all I'm thinking.

2 Q. How about Building 20?

3 A. That was the pilot plant. And also
4 Building 22, that was the boiler room.

5 Q. 22 was the boiler room?

6 A. Yeah.

7 Q. Okay.

8 A. Building 20 was the -- what we call
9 the pilot plant, and that's where we made --
10 manufactured the chemicals of various sorts; but
11 not -- not big -- big amounts.

12 Q. And I think you mentioned that
13 Building 23 was the warehouse?

14 A. I -- yeah, probably. Let me think
15 here. Yeah, I'm pretty sure that that's the
16 warehouse.

17 Q. Was there any other use for Building
18 23 other than the warehouse?

19 A. No.

20 Q. What was stored in the warehouse?

21 A. Whatever we made in the pilot plant
22 before we shipped it out.

23 Q. So that was for finished product
24 then?

25 A. Right.

1 Q. Was it -- how about for raw
2 material?

3 A. There may have been. I don't
4 recall.

5 Q. Okay. Was there another building
6 that was dedicated to raw materials?

7 A. No. We never really had big
8 inventories of raw materials.

9 Q. What is The Mound Laboratory?

10 A. Well, that was part of Monsanto
11 Research Corporation. I'm sorry, the question is
12 what is or what was?

13 Q. Yeah.

14 A. Well, they manufactured nuclear
15 materials for the -- the Department of Defense.

16 Q. Did you ever work there?

17 A. No.

18 Q. Did you ever visit there?

19 A. Yes.

20 Q. About how many times?

21 A. Oh, less than a dozen.

22 Q. Why?

23 A. Why? I had no business there.

24 Q. No, I mean, why did you visit there?

25 A. Well, in some cases it was to

1 attend -- maybe attend a class; and the other
2 reason might have been to discuss mutually --
3 mutual problems.

4 Q. Okay. So someone higher up in
5 Monsanto Research Corporation said go to The
6 Mound Laboratory for one reason or another, and
7 you went?

8 A. Right.

9 Q. But it was never your regular place
10 of work?

11 A. No. I had to be cleared, and I also
12 had to have somebody puppy-dog around after me
13 while I was there, so --

14 Q. You had to be cleared because it was
15 classified --

16 A. Classified.

17 Q. -- things going on there?

18 A. Right.

19 (Thereupon, Plaintiffs' Exhibit 2,
20 Inter-Office Correspondence dated 3-1-1983, with
21 attachment, MONS01815-01819, was marked for
22 purposes of identification.)

23 BY MR. ROMINE:

24 Q. So, Mr. Hart, have you had a chance
25 to take a look at Exhibit 2?

1 A. Yes.

2 Q. Okay. Have you seen this before?

3 A. Not that I recall.

4 Q. Okay. And who is D. L. Zanders?

5 A. Well, he was part of the operation

6 that -- where we had a lot of government

7 contracts to do a lot of research for the

8 government. I can't really -- I know Don -- or

9 knew him. I think he is not with us anymore.

10 But, anyway, in Building 1, when I mentioned we

11 had labs, there was a lot of small-scale activity

12 taking place, things like hood work, that small.

13 And I would assume from this, but I

14 don't know it to be true or not, that where they

15 talked about very large quantities of waste, it

16 probably was generated in the pilot plant; where

17 they talk about small amounts, it was throw-away

18 stuff in the laboratories.

19 Q. Okay. So Mr. Zanders was a Monsanto

20 Research Corporation employee?

21 A. Yes, he was.

22 Q. And he worked at The Dayton Lab?

23 A. Yes, he did.

24 Q. Okay. How about G. L. Jesse?

25 A. Oh, Gene was -- he never was part

1 of -- of Monsanto Research Corporation. He was
2 a plant manager at a couple of our plants, and
3 he -- at this point, he was -- he was at the
4 general office in St. Louis, headquarters. And
5 what his job was at that time, I have no idea.

6 Q. Okay. And when you say Gene, you're
7 referring to Mr. Jesse?

8 A. Right.

9 Q. And you met him? You have met Mr.
10 Jesse?

11 A. Oh, I know him.

12 Q. Yeah. Do you keep in touch with
13 him?

14 A. I don't keep in touch with anyone.

15 Q. I'm going to ask you about a couple
16 more names on the -- on the memo here. W. B.
17 Witmer?

18 A. Well, this -- let's see what the
19 date is. Well, he was the site manager at this
20 time.

21 Q. And when you say the site manager,
22 that's The Dayton Laboratory?

23 A. Right.

24 Q. Was he the boss, the highest ranking
25 person?

1 A. At that time, yes.

2 Q. Okay. How about the next name? I'm
3 not gonna try to pronounce it.

4 A. Ctvrtnicek.

5 Q. Ctvrtnicek?

6 A. I think he was a group leader.

7 Q. A group leader?

8 A. Yeah.

9 Q. Do you remember what group?

10 A. No.

11 Q. Okay. How about R. M. Scott?

12 A. Well, okay, Royce was -- he was in
13 St. Louis at this time.

14 Q. Okay.

15 A. And I don't -- I'm not sure what his
16 job was.

17 Q. And when you say Royce, you're
18 referring to Royce Scott?

19 A. Right.

20 Q. Did he ever work at The Dayton Lab?

21 A. Oh, yeah.

22 Q. During what time period?

23 A. Well, before I became the plant
24 manager and after I retired, two periods of time.

25 Q. Two different periods?

1 A. Right.

2 Q. Okay. And how about B. J.
3 Gilhausen?

4 A. I have no idea.

5 Q. Okay. So, again, correct me if I'm
6 wrong, but it seems like you -- during the course
7 of your work, you -- you met Mr. Witmer, Mr.
8 Ctvrtnicek and Mr. Scott at some point?

9 A. Oh, yeah.

10 Q. Okay. But not Mr. Gilhausen?

11 A. No.

12 Q. Okay. Reading the first page of
13 this memo written by Mr. Zanders, it says: In
14 response to your request, the following is a
15 history of open (current) and closed (no longer
16 used by The Dayton Laboratory) disposal sites,
17 and then it goes on. Were you aware of any
18 requests from Mr. Jesse, or anyone else at
19 Monsanto headquarters, about disposal sites?

20 A. I don't recall any.

21 Q. Okay. Were you involved in waste
22 disposal as part of your job at The Dayton
23 Laboratory?

24 A. Only to the extent if something went
25 wrong, they would blame it on me.

1 Q. Okay. Did they blame something on
2 you?

3 A. No.

4 Q. Okay. You mentioned you were plant
5 manager for some period?

6 A. '84 to '88.

7 Q. Okay. Was that -- was that the same
8 position that Mr. Witmer held?

9 A. Yes.

10 Q. Okay. When you were plant manager,
11 how was the waste disposed of, the waste that was
12 generated by The Dayton Laboratory?

13 A. That's difficult for me to answer
14 because I only got involved in -- in things that
15 went on at the plant if there was a problem. If
16 there was no problem, I didn't get involved in it
17 to make one. So it pretty much -- when I came on
18 site, that was all a routine operation; I did not
19 get involved.

20 Q. Did The Dayton Lab hire a hauler to
21 come and take away the trash, or did Monsanto
22 have its own trucks that would take the trash
23 somewhere?

24 A. I don't recall, but I believe it was
25 a contract. Monsanto was not a big presence in

1 the area, so we did not have trucks.

2 Q. If you look back at the first
3 exhibit, Exhibit 1 --

4 A. Yes.

5 Q. -- the diagram, can you point out to
6 me where the trash was when the trucks came to
7 pick it up?

8 A. Oh, well, let's see. Probably in
9 the area of Area 13 and Area 12.

10 Q. The areas that are shown on the --

11 A. On this map, yes.

12 Q. Right. Okay. When you say
13 probably, do you remember a dumpster or some kind
14 of trash container in that area?

15 A. Yeah.

16 Q. Okay. Any -- any other places?

17 A. Well, probably Building 12, which
18 was a small warehouse before they built the big
19 one.

20 Q. Okay.

21 A. And it did not contain -- it
22 wasn't -- it wasn't big enough to contain very
23 much. But at some point, probably after -- oh,
24 I'd say around 1987 or '88, we got rid of a lot
25 of chemicals. And so we had someone come in, and

1 they repackaged all the chemicals on site that
2 were no longer used or needed in Building 12.
3 Who -- where that went, I don't know.

4 Q. Was it your impression that those
5 were being repackaged for reuse or disposal?

6 A. Repackaged to get rid of.

7 Q. For disposal?

8 A. Right.

9 Q. But you don't know where that went?

10 A. No.

11 Q. Who was it that came and took it?

12 A. I don't know that either.

13 Q. Okay. I want to go back now to
14 Exhibit 2, and I want to ask you about the second
15 page. It's numbered 1816 at the bottom.

16 A. Okay.

17 Q. And about halfway down the Page
18 1816, it -- there is a notation entry regarding
19 the South Dayton Dump and Landfill, Dayton, Ohio.

20 A. Yes.

21 Q. And then if you look to the right on
22 the same page regarding that same entry, it looks
23 like -- or Mr. Zanders is noting that there were
24 a quantity less than 800 pounds of inorganics
25 disposed of at the South Dayton Landfill in

1 around 1976 or 1977?

2 A. Right.

3 Q. Okay. Aside from reading this memo,
4 are you aware of the disposal of these inorganics
5 at the South Dayton Dump and Landfill that Mr.
6 Zanders is writing about here?

7 A. No.

8 Q. Are you aware of any disposal by
9 Monsanto Research Corporation at the South Dayton
10 Dump and Landfill, other than this notation here?

11 A. Would you repeat that question?

12 Q. Sure. Are you aware of any disposal
13 of any waste by Monsanto Research Corporation at
14 the South Dayton Dump and Landfill?

15 A. Well, I knew that we used it, but
16 specifically what was going in it, I have no
17 knowledge.

18 Q. When you say you used it, how do you
19 know that Monsanto Research Corporation used the
20 South Dayton Dump?

21 A. Saw the truck come in and go out.

22 Q. What -- what truck go in and go out
23 of where?

24 A. Of the plant.

25 Q. And it was from Monsanto or --

1 A. Yeah.

2 Q. How do you know it was Monsanto
3 waste that was in it?

4 A. Well, that's a good question. Maybe
5 I don't know.

6 Q. Okay. Did you ever see the same
7 truck leave from the plant and go to the South
8 Dayton Dump site?

9 A. Well, I saw a truck go out the gate,
10 and I didn't follow it, so I don't know where it
11 went.

12 Q. Okay. Do you know -- do you know of
13 other dumps or places in the Dayton area where
14 the Monsan -- the Dayton Lab waste went?

15 A. No. The only one I'm aware of is
16 the one we're talking about.

17 Q. South Dayton?

18 A. Right.

19 Q. Yeah. I'm trying to explore,
20 though, a little bit where your knowledge comes
21 from. Is it just so close that you assumed that
22 it went there, or you had some dealings with the
23 South Dayton Dump somehow?

24 A. I didn't -- I had no dealings with
25 the South Dayton personally.

1 Q. Okay.

2 A. No dealings with the South Dayton
3 Dump site. I was -- probably the purchasing
4 people were involved with that.

5 Q. And who were they?

6 A. Well, there were several while I was
7 there. You see all this white hair? I have
8 forgotten much of what I used to know.

9 Q. (Indicating.)

10 A. Yeah, but you're still working.

11 Q. Okay. That's okay. If it comes to
12 you -- if it comes to you, let me know.

13 A. I guess the only one I can really
14 remember is Norman Miller. He was involved.

15 Q. Norman Miller?

16 A. Yeah. He was in purchasing.

17 Q. Okay.

18 A. But we had several people in that
19 department that either went somewhere else for a
20 better job or just went.

21 Q. Right. I understand. When you were
22 working for The Dayton Lab, was it your
23 understanding that part of Mr. Zanders' job was
24 disposing of -- of waste chemicals?

25 A. No.

1 Q. We mentioned the South Dayton Dump a
2 couple times. Where is that?

3 A. I think it's off Dryden Road, south
4 of the river.

5 Q. And when you say the river, that's
6 the Miami River?

7 A. I think that's what they call it,
8 yeah.

9 Q. Okay.

10 (Thereupon, Plaintiffs' Exhibit 3,
11 Inter-Office Correspondence dated 7-22-1977,
12 MONS01825-0127, was marked for purposes of
13 identification.)

14 THE WITNESS: (Examining document.)

15 BY MR. ROMINE:

16 Q. Have you had a chance to look at
17 Exhibit 3?

18 A. Yes.

19 Q. Do you remember seeing this memo
20 when you worked at Monsanto Research Corporation?

21 A. Well, I'm sure I did. I see I'm
22 carbon-copied on it, but I don't recall at this
23 point seeing it.

24 Q. Fair enough. Who is Thomas D. Beal?

25 A. He was one of the -- he was a safety

1 guy on site.

2 Q. How about George A. Richardson?

3 A. He was an organic chemist who -- he
4 would have had knowledge of -- of the chemicals
5 we are talking about; not Beal, necessarily.

6 Q. And how -- how about J. E. Guthrie?

7 A. Guthrie worked for me, and --
8 directly. And he was not a knowledgeable
9 chemist, as such. In fact, I don't even think
10 John had a degree in anything, but -- and to be
11 honest with you, I don't know why he is even on
12 this list.

13 Q. Okay. How about E. E. Hardy?

14 A. Oh, he was -- he was the lab
15 director when I first arrived, and I've forgotten
16 when he left. He probably left prior to '80, but
17 I wouldn't swear to it.

18 Q. Okay. And are all the people named
19 on this memo, they all worked in Dayton?

20 A. Yes.

21 Q. Okay. So there is no one here being
22 copied to St. Louis?

23 A. That is correct.

24 Q. Okay. I want to get -- ask you a
25 question that's gonna be based on this first

1 sentence here. The objective of this report is
2 to outline the method for disposal of
3 continuously generated chemical waste from The
4 Dayton Laboratory. And my question is: When you
5 worked there, in terms of disposing of the
6 chemicals, was there different treatment for
7 continuously generated chemical waste, as opposed
8 to haphazardly or ad hoc generated chemical
9 waste?

10 A. I can't answer that.

11 Q. Okay. And then if you look at
12 the -- the second page, 1826?

13 A. Right.

14 Q. It looks like there is a flow chart
15 of how the authors of the memo anticipated they
16 were going to dispose of this waste. And one of
17 the steps is off-site disposal sites located and
18 inspected. And my question to you is: Did you
19 play any role in locating and inspecting any
20 off-site disposal sites?

21 A. No.

22 Q. Did anybody that you know of, from
23 your knowledge of working there, did anybody do
24 that?

25 A. Probably, but I have no knowledge of

1 who it was.

2 Q. Okay. So somebody probably did it,
3 you just don't know who -- you just don't
4 remember who it was or you don't know who it was?

5 A. Right.

6 Q. Okay. Was that a topic that you
7 talked about with any of these people that are
8 shown on the memo?

9 A. Not unless there was a problem.

10 Q. Okay. But was it a problem, and you
11 have memory of talking about it?

12 A. Nope.

13 Q. Okay. It looks like, if I'm reading
14 this memo correctly, that Mr. Beal and Mr.
15 Richardson are proposing some kind of process for
16 deciding how -- how and where to dispose of
17 chemical waste. Was this -- this process that
18 they outlined here on Page 1826, was that process
19 followed?

20 A. I can't answer that. I had no idea
21 this even existed.

22 Q. Okay.

23 A. Just looking at it, I'm assuming
24 that Hardy must have asked the question and this
25 is the answer.

1 Q. I see. So you're saying -- you're
2 saying that -- okay.

3 So Hardy is asking Beal and
4 Richardson, we need to figure out what to do; and
5 this is Beal and Richardson saying this is how we
6 are gonna do it?

7 A. Right.

8 Q. Okay. And why -- what was the
9 nature of your job that would have -- that Beal
10 and Richardson would have thought that you were
11 necessary to cc on it?

12 A. Well, as I stated previously, I was
13 the -- involved in the logistics of running the
14 place.

15 Q. Okay.

16 A. So that would have fallen under
17 that.

18 MR. ROMINE: Okay. Off the record.

19 (Recess taken.)

20 MR. ROMINE: Back on the record.

21 BY MR. ROMINE:

22 Q. Mr. Hart, you had mentioned that you
23 were in the Army a couple years from 1954 to
24 1956?

25 A. That's correct.

1 Q. And where were you stationed?

2 A. Hawaii; almost embarrassed to say
3 that, but --

4 Q. No problem. You were there -- you
5 were there the whole -- basically, the entire two
6 years?

7 A. Well, other than basic training in
8 South Carolina, that's where I was assigned.

9 Q. Okay. Okay. And you had also
10 mentioned that there were approximately 400
11 employees at The Dayton Lab when you got there?

12 A. Yes.

13 Q. But then when you left, it had
14 dwindled to somewhere around a hundred, roughly?

15 A. Right.

16 Q. Was that -- was that due more to a
17 decrease in the government contract work or
18 the -- the pilot plant work, or can you not --
19 not split it up that way?

20 A. Well, I could be a smart ass and say
21 it was due to people in St. Louis thinking they
22 knew more than they really did, but it was
23 primarily the plan from St. Louis to get rid of
24 the site.

25 Q. Okay.

1 A. Which they ultimately did.

2 Q. Okay. And -- and the -- and correct
3 me if I'm wrong, but the, I guess,
4 decommissioning of the nuclear part of the
5 facility was part of that process?

6 A. Yes.

7 Q. Okay. Do you know where any of the
8 waste from the nuclear part of the plant went?

9 A. Well, I -- I may know, but I'm not
10 sure I do. And I -- as I recollect, I think it
11 went to Hanford, Washington, before it got
12 closed.

13 Q. Okay. Some kind of nuclear waste
14 facility?

15 A. Hanford, Washington, yeah. But I --
16 you know, I wouldn't stake my life on that.

17 Q. I understand.

18 MR. ROMINE: I think that's all the
19 questions I have. I pass the witness.

20 MS. WRIGHT: Okay. I have a few.

21 THE WITNESS: Okay.

22 DIRECT EXAMINATION

23 BY MS. WRIGHT:

24 Q. A little earlier in your deposition,
25 Mr. Hart, you testified that South Dayton Dump

1 was a site that you were aware of?

2 A. Right.

3 Q. How were you aware of South Dayton
4 Dump?

5 A. I have heard people talk.

6 Q. What would they say?

7 A. I don't recall.

8 Q. You don't recall?

9 You also testified that you saw
10 trucks leaving the site, but you did not know
11 where they went; is that correct?

12 A. That is correct.

13 Q. So just to be clear that I
14 understand your testimony correctly, you do not
15 have any firsthand knowledge of trucks leaving
16 The Dayton Lab and going to South Dayton Dump; is
17 that true?

18 A. That's correct. That's correct. If
19 I said anything other than that, it would have
20 been an assumption.

21 Q. Okay. There is a joke about that,
22 but I won't put it on the record.

23 A. I know the joke.

24 Q. You know the joke.

25 I just have one more question. Do

1 you have any reason not to believe that any
2 nuclear-contaminated or waste -- radioactive
3 waste was not properly disposed of?

4 A. I think it was all properly disposed
5 of.

6 MS. WRIGHT: That's all I have got.

7 MS. SMARDA: I have no questions on
8 behalf of Cox Media Group.

9 MR. ROMINE: Anyone on the telephone
10 have any questions for Mr. Hart?

11 MR. HARBECK: This is Bill Harbeck.
12 No questions.

13 MR. NES: This is Brad Nes. No
14 questions.

15 MR. WINELAND: Erik Wineland. No
16 questions.

17 MR. ROMINE: I think we are done.

18 THE NOTARY: And signature?

19 MS. WRIGHT: If you send it to me,
20 I'll take care of that.

21 (Thereupon, the deposition was
22 concluded at 2:15 o'clock p.m.)

23

24

25

1 I, RICHARD HART, do hereby certify
2 that the foregoing is a true and accurate
3 transcription of my testimony.

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8 Dated - - - - -
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1 STATE OF OHIO)

2 COUNTY OF MONTGOMERY) SS: CERTIFICATE

3 I, Beverly W. Dillman, a Notary Public
4 within and for the State of Ohio, duly
5 commissioned and qualified,

6 DO HEREBY CERTIFY that the above-named
7 RICHARD HART, was by me first duly sworn to
8 testify the truth, the whole truth and nothing
9 but the truth.

10 Said testimony was reduced to writing by
11 me stenographically in the presence of the
12 witness and thereafter reduced to typewriting.

13 I FURTHER CERTIFY that I am not a
14 relative or Attorney of either party, in any
15 manner interested in the event of this action,
16 nor am I, or the court reporting firm with which
17 I am affiliated, under a contract as defined in
18 Civil Rule 28(D).

19

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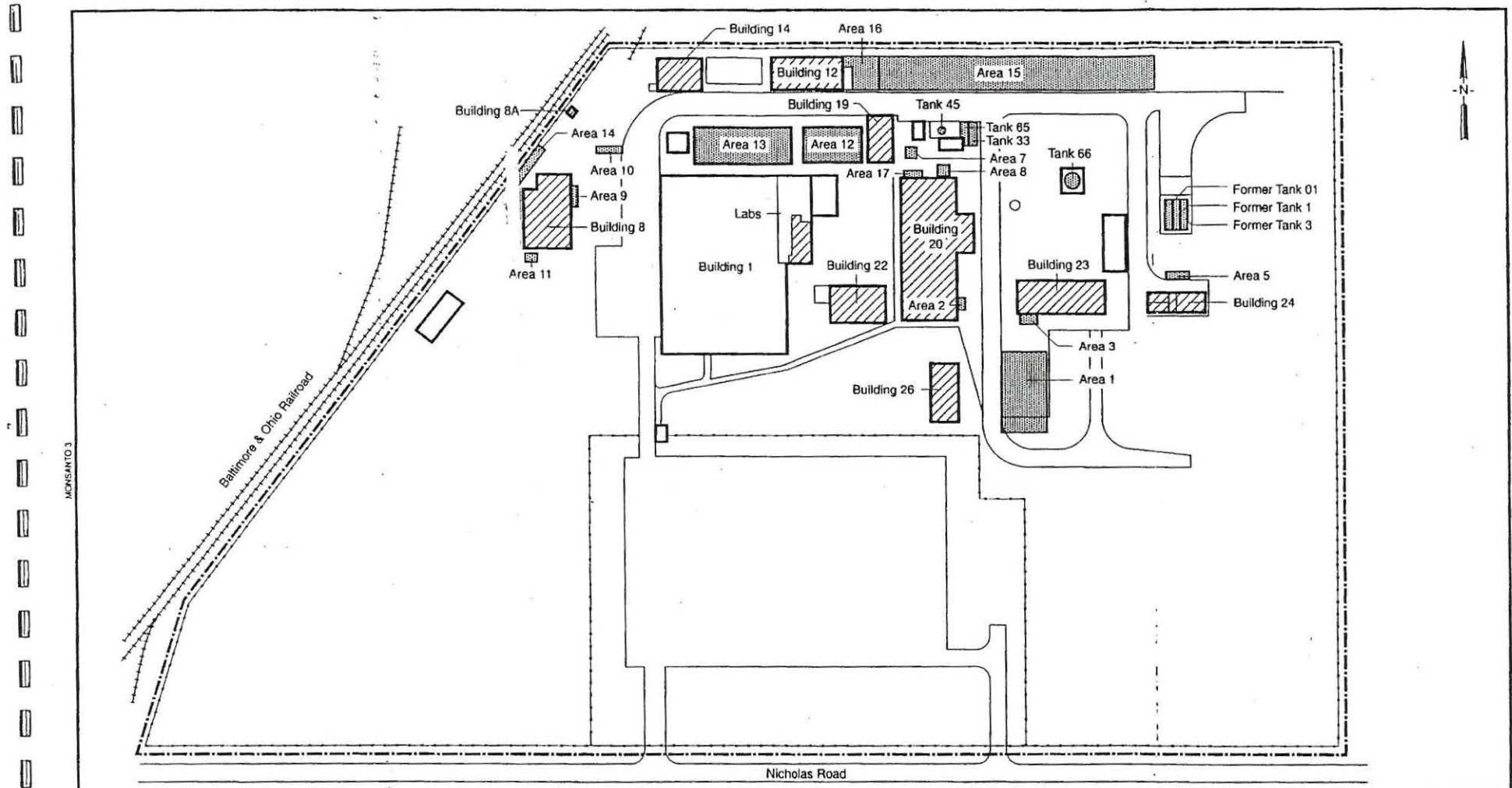
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25

1 IN WITNESS WHEREOF, I have hereunto
2 set my hand and seal of office at Dayton, Ohio,
3 on this _____ day of _____, 2013.

4
5 _____
6 BEVERLY W. DILLMAN, RPR, CRR
7 NOTARY PUBLIC, STATE OF OHIO
8 My commission expires 3-6-2017
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LEGEND:

- Property Boundary
- Fence
- ▨ Buildings Containing Stored Chemicals
- ▤ Areas of Chemical Storage

0 100 200
APPROXIMATE SCALE IN FEET

BASE MAP SOURCE: Modified from
Monsanto Agricultural Company Engineering
Department, St. Louis, Missouri, Plot Plan,
Drawing No. S-D-C-047, March 1992.



QUALITY CHEMICALS, INC.
Subsidiary of First Chemical Corporation
Dayton, Ohio Plant

**FIGURE 3
LOCATION OF CHEMICAL
STORAGE**

Job No. 24667-001-121

Dames & Moore



MONSANTO 1544

MONSANTO 3

CONFIDENTIAL

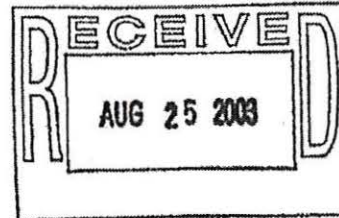
MONSANTO RESEARCH CORPORATION

Inter-Office Correspondence

From LOCATION : D. L. Zanders/Dayton Laboratory
DATE : March 1, 1983
SUBJECT : Dayton Laboratory Waste Disposal History
REFERENCE :

cc: W. B. Witmer
T. E. Ctvrtnicek
R. M. Scott - 02B
B. J. Gilhausen - G3WB

TO : G. L. Jesse
G3WG/St. Louis



In response to your request, the following is a history of open (current) and closed (no longer used by the Dayton Laboratory) disposal sites associated with the operation of the Dayton Laboratory. Both on-site and off-site disposals are listed, and off-site disposals are grouped by the method of disposal (reclamation, incineration, and landfill). To assemble the list, existing records and recollections of the older, and now retired MRC employees were used. The completeness of the list is uncertain. Radioactive and general, non-hazardous industrial waste disposal sites are not included.

I trust that the information provided will meet your needs. If you have further questions, please contact me.


D. L. Zanders

DLZ:ss



MONS01815

CONFIDENTIAL

AN ACCOUNT OF OFF-SITE CHEMICAL WASTE LANDFILLS

<u>Site</u>	<u>Method of Disposal/Treatment</u>	<u>Status</u>	<u>Waste Components</u>	<u>Quantity</u>	<u>Approximate Period of Activity</u>
Unnamed landfill on Vance Road, Dayton, Ohio	Landfill	Closed	Dimethyl mercury in a stainless steel container	~4 lbs	Early 1950's
Edgewood Arsenal, Aberdeen Proving Ground, Maryland	Dumping/burial (also see the entry on this site in the listing on incineration)	Closed	Decontaminated hardware (e.g., a GC, a glove box, ducts) and products from Government contracts on physical/chemical/colloid research of agents	Uncertain; guesstimated at ~100 lbs	1967-69
Toxic materials dump at Wright-Patterson Air Force Base, Dayton, Ohio	Dumping	Closed	Portions of decontaminated hardware listed under Edgewood Arsenal	Uncertain; guesstimated at ~100 lbs	1967-69
South Dayton Dump and Landfill, Dayton, Ohio	Landfill	Closed	Inorganics (e.g., Na_2CO_3 , alumina) in 100 lb sacks	<800 lbs	1976/77
Unnamed landfill in Seymour, Indiana	Landfill	Closed	Reacted acrylic mix polymer scrap	~20 tons	Early 1970's
Headlee Refuse, Inc., Delaware, Ohio	Landfill	Closed	Off-grade materials and solvents from acrylic resin production; some lab chemicals	~50 tons	Early 1970's thru 1974
Pristine, Inc. Reading, Ohio	Landfill at an undisclosed location in northern Kentucky arranged by Pristine against MRC instruction that this waste was to be incinerated	Closed	Large variety of lab organic chemicals packed in drums	<400 lbs	1977/1980
CECOS International (formerly NENCO) Williamsburg, Ohio	Secure landfill	Open	Chemically contaminated scrap (87%), asbestos (4%), various lab chemicals in glass containers packaged in cans and drums (9%)	~15 tons	1977 - present

MONS01816

CONFIDENTIAL

AN ACCOUNT OF CHEMICAL WASTE INCINERATION

Site	Method of Disposal/Treatment	Status	Waste Components	Quantity	Approximate Period of Activity
Edgewood Arsenal, Aberdeen Proving Ground, Maryland	Burning (also see the listing on landfills)	Closed	Materials from Government contracts on physical/chemical/colloid research of agents; residual CS and solid lethal agents; agent-contaminated solvents (toluene, xylene, benzene, acetone)	~50 lbs of unused agents and ~8 tons of solvents	1967/69
Unnamed site in Terre Haute, Indiana	Incineration	Closed	Acrylic polymer wastes in butanol/kerosene mixture with 25%-30% polymer	~40 tons	Early 1970's
American Chemical Services, Griffith, Indiana	Incineration	Closed	Scrap methanol	Guesstimated at several tens of tons	Early 1970's
City dump site in Moraine City, Ohio	Open burning; soil covered	Closed	Lab waste organic chemicals of large variety and reactive inorganic metals (Na, K, Li)	<800 lbs	~1976/77
Pristine, Inc., Reading, Ohio	Incineration	Closed	Waste solvents (1/3 aromatic, 2/3 olefinic, less than 0.1% mercaptans)	~100 tons	1977-1980
Dayton North County Incinerator, Dayton, Ohio	Incineration	Open	Wastes from laboratory bio-assays	~5 tons	1980 - present
Robert Ross & Sons, Grafton, Ohio	Incineration	Open	Waste solvents (1/3 aromatic, 2/3 olefinic; less than 0.1% mercaptans)	~200 tons	1980 - present

MONS01817

AN ACCOUNT OF ON-SITE BURIAL LOCATIONS

Location	Method of Disposal/Treatment	Status	Waste Components	Quantity	Approximate Period of Activity
✓ Northwest corner of the property	Burial some 25 feet deep; soil covered	Closed	Probably polonium 210 (decayed now) and polonium 210 contaminated hardware	Unknown	1942/43
✓ Fenceline area north of Bldg. 8	Burial; soil covered	Closed	Y^{90}O_3 (decayed now) plus contaminated labware	20mCi	1952
✓ Fenceline area west and under Bldg. 18	Dumping into the swamp and covered	Closed	Variety of lab chemicals and labware contaminated with off-spec reaction products; formaldehyde; $\text{Cu}(\text{CN})_2$ contaminated labware	<250 lbs [<100g $\text{Cu}(\text{CN})_2$]	1940's and early 1950's
✓ Southwest area south of Bldg. 3 and north of Bldg. 2	Dumping; covered	Closed	Variety of chemicals and labware from chemical synthesis laboratory experiments	<100 lbs	1940's and early 1950's
✓ North fenceline and possibly northwest of Bldg. 5	Pouring and dumping	Closed	Variety of off-spec reaction products from lab organic synthesis experiments	<100 lbs	1940's thru 1950's
✓ Northeast corner	Burning and burial of C^{14} wastes and contaminated scrap in three holes 4'x4'x5' in the ground; soil covered	Closed	C^{14} wastes and contaminated scrap	~3mCi	1959; 1960 1966
✓ North of Bldg. 20	Several trenches covered with plywood used to conduct tests on the feasibility of transporting aqueous foam through tunnels; the foam was intended to be a transport medium for CS agent; soil covered	Closed	Detergent and foam stabilizers; use of the small quantity of CS agent in the tests is uncertain	<20 lbs	1967
✓ East of Bldg. 20	A pit ~ 30 ft in diameter lined with gravel and limestone and used to neutralize HCl wastes; occasional dumping of lab chemicals and lab wastes from scrapped reactions; cemented	Open; used now to contain wastes during pilot plant upsets	CaCl_2 ; smaller undetermined quantities of various lab chemicals and lab wastes from scrapped reactions	<2 tons	Mid 1960's thru mid 1978

MONS01818

OCT 31

AN ACCOUNT OF CHEMICAL SCRAP RECLAMATION SITES

<u>Site</u>	<u>Method of Disposal/Treatment</u>	<u>Status</u>	<u>Waste Components</u>	<u>Quantity</u>	<u>Approximate Period of Activity</u>
CC Supply, Wapakoneta, Ohio	A jobber for Chemical Recovery System Elyria, Ohio; Custom Industrial Waste Disposal, Louisville, Kentucky; Inland Chemical, Louisville, Kentucky; and Konolrad Industries, Pandora, Ohio	Closed	Refer to reclaimers listed under Method of Disposal/Treatment	Refer to reclaimers listed under Method of Disposal/Treatment	1975/1977
Chemical Recovery System, Elyria, Ohio	Reclamation of bulk waste solvents for resale; waste product from reclamation incinerated at Robert Ross & Sons, Grafton, Ohio	Closed	Paraffin, olefin, fatty acid, and toluene scrap	<15 tons	1975/1977
Custom Industrial Waste Disposal, Louisville, Kentucky	Reclamation of bulk chemical waste for blending and reuse as fuel	Closed	Toluene, hexane, heptane solvent scrap	<50 tons	1975/1977
Inland Chemical, Louisville, Kentucky	Reclamation of bulk chemical waste for resale	Closed	Spent methylene chloride solvent	<10 tons	1977
Konolrad Industries, Pandora, Ohio	Reclamation of bulk scrap methanol and toluene for use as gasoline antifreeze	Closed	Methanol and toluene scrap	<50 tons	1975/1977
Superior Oil Company, Indianapolis, Indiana	Reclamation of bulk waste solvents	Closed	Xylene, toluene, hexane blend	~20 tons	1981

MONS01819

MONSANTO RESEARCH CORPORATION

Inter-Office Correspondence

From LOCATION : Dayton Laboratory/T. D. Beal
G. A. Richardson

cc: R. C. Hart
J. E. Guthrie

DATE : July 22, 1977

SUBJECT : Disposal of MRC Waste Chemicals

TO : ~~E. E. Hardy~~, [illegible] 27 1977

The objective of this report is to outline the method for disposal of continuously generated chemical waste from the Dayton Laboratory. Some of the methods employed in the past can no longer be used. Disposal will be conducted by approved methods at approved disposal sites.

The disposal method is outlined in Figure 1. First, the chemical waste, as received, will be segregated into classes for disposal and held on site, until sufficient quantities are generated to keep disposal costs as economically feasible as possible.

The next step entails location and inspection of an off-site disposal area or facility. This will undoubtedly involve several sites and/or disposal methods. Extremely toxic and hazardous wastes will require a different disposal method than the flammables, which will require a different method than the liquid nonflammables. The nontoxic solids, may require a different disposal method than those above, etc.

The next step is approval of the disposal site and the method that is used. Upon approval of the site, shipping and transportation of the waste to the site will be arranged.

The final step being destruction of the wastes in an approved and safe manner. This will require witnessing of the destruction by MRC personnel.

Periodically all sites will be inspected to assure that the disposal is conducted in a safe and approved manner at all times.

Thomas D. Beal
Thomas D. Beal

George A. Richardson
George A. Richardson

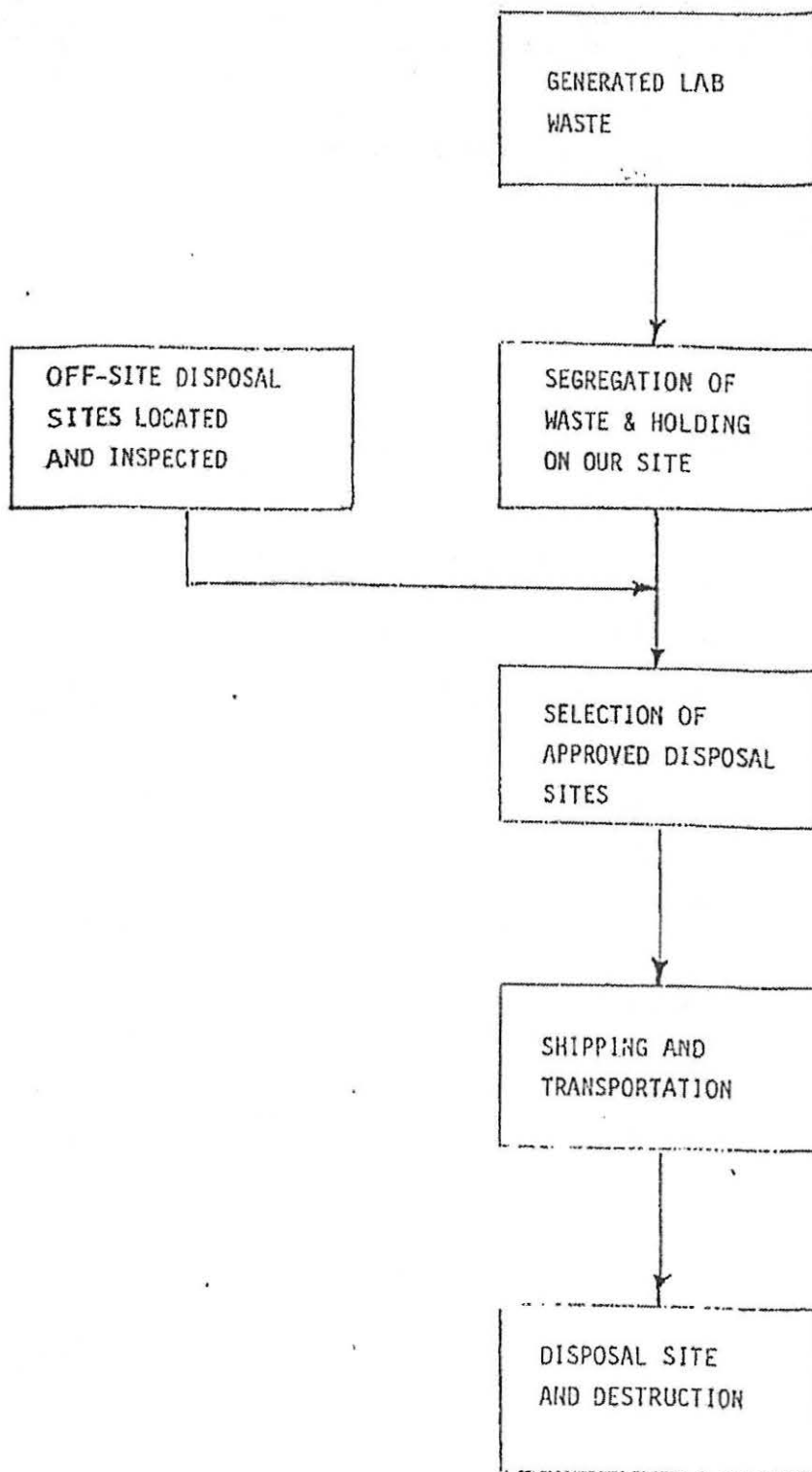
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Attachment

MC-10



MONS01825



E.P.A. Approved and Other Sites

<i>contractor</i>			<i>Type of operation</i>		
1.	Robert Ross and sons		incineration;		June 1977
	Drafton, Ok	216-748-2271	chemical land-fill		
2.	Liquid Waste Inc.		incineration		July 1977
	Louisville, Ky				
3.	Pristine		incineration		October 1977
	Reading, Ok		chemical land-fill		
4.	Industrial Waste Disposal		land-fill		March 1977
	Springfield, Ok	502-968-6173			
5.	CER-NEWCO		land-fill		November 1977
	Williamstown, Ok				
6.	Inland Chemical		Reclaimers		July 1977
	Louisville, Ky				
7.	Chemical Recovery		Reclaimers		June 1977
	Elyria, Ok				
8.	Honolua Industries		Reusers		May 1977
	Pandora, Ok				
<i>Liquid Disposal of Mischugen</i>					
	Smith Landfill				
	Shepherdville, Ky				
	Jones Chemical				
	Barabrookville				